
OLR Bill Analysis

sHB 5566

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES.

SUMMARY:

This bill makes numerous changes to the education statutes including:

1. changing the title of “special master” for a district under state supervision and control to “district improvement specialist”;
2. changing the number and schedule of required vision, hearing, and postural screenings for public school students;
3. indemnifying teacher mentors and reviewers against lawsuits;
4. changing the terms for appointments to an administrator professional standards council;
5. changing standards for allowable nutritional drinks in schools;
6. specifying that agricultural science (vo-ag) center equipment and facilities purchased with state grants must be used exclusively by the vo-ag centers; and
7. requiring parents to notify a student’s home district when the student is accepted to or placed on the waiting list for an interdistrict magnet school.

EFFECTIVE DATE: July 1, 2014, except for the provisions regarding indemnity, appointments to the administrator standards council, and due date for the racial minority enrollment report, which are effective on passage.

§§ 1-3 — SPECIAL MASTER TITLE CHANGED TO DISTRICT IMPROVEMENT SPECIALIST

The bill changes the title of a person assigned by the State Board of Education (SBE) to administer education operations in a low-performing district and work collaboratively with the district's board from "special master" to "district improvement specialist" (see BACKGROUND). New London is currently the only district that has such a person assigned. In addition, under the commissioner's network of schools law, in certain situations the education commissioner may appoint a special master to implement a school turnaround plan. The bill changes this person to a school improvement specialist, which presumably is someone different than a district improvement specialist.

§ 4 — VISION, HEARING AND POSTURAL SCREENINGS

The bill reduces the number of mandatory annual vision, hearing, and postural screenings for public school students and eliminates the requirement for annual postural screenings. Table 1 lists the changes by type of screening and grade. By law, the school superintendent must contact the parents of any student found to have any impairment, disease, or defect of vision or hearing or evidences a postural problem.

Table 1: Vision, Hearing, and Postural Screenings

Screening	Current Grades	Grades under the Bill
Vision	K, 1-6 inclusive, & grade 9	K, 1, & 3-5 inclusive
Hearing	K-3 inclusive, 5 & 8	K, 1, & 3-5 inclusive
Postural	5 – 9	Female students: 5 and 7, Male students: 8 or 9

§ 5 — INDEMNITY FOR TEACHER MENTORS OR REVIEWERS

The bill extends the legal indemnity currently given to teachers, administrators, school board members, and others to teacher mentors and teacher reviewers. This means these employees are held harmless by their employer for acts or omissions that cause death or injury to another person or property if the employee's acts where (1) not wanton, reckless, or malicious and (2) within the scope of his or her employment. Employers covered are local or regional boards of education, the governing council of a charter school, SBE, the Board of

Regents for Higher Education or the board of trustees of each state institution of higher education, and each state agency that employs teachers.

§ 6 — APPOINTMENTS TO THE ADVISORY COUNCIL FOR SCHOOL ADMINISTRATOR PROFESSIONAL STANDARDS

The bill extends, from two to four years, the terms of all appointments to the Advisory Council for School Administrators that take place on or after the bill's passage.

§ 7 — NATIONAL EXAM AS PART OF SUBSTITUTE FOR STANDARD GRADUATION REQUIREMENTS

Current law requires the State Department of Education (SDE) to establish a program that allows boards of education to permit 11th and 12th grade students to substitute certain evidence of academic achievement for existing high school graduation requirements in order to receive a high school diploma. One of three required pieces is a passing score on a national examination that SDE determines. The bill changes this to a nationally recognized exam that SBE approves.

§ 8 — NUTRITIONAL DRINK STANDARDS IN SCHOOLS

The bill changes the standards for allowable nutritional drinks in schools. Table 2 shows the changes.

Table 2: Allowable Nutritional Drinks in Schools

<i>Beverage</i>	<i>Current Law</i>	<i>Bill</i>
Milk	May be flavored but cannot contain artificial sweeteners or more than four grams of sugar per ounce	Only low-fat or skimmed milk; bans nonnutritive sweetening agents, sugar alcohols, or added sodium; keeps the existing artificial sweetener ban and sugar limit
Nondairy Milks (such as soy or rice milk)	May be flavored but cannot (1) contain artificial sweeteners or more than four grams of sugar per ounce or (2) have a high amount of calories from fat.	Bans nonnutritive sweetening, sugar alcohols, or added sodium; keeps the artificial sweeteners ban, sugar limit, and low amount of calories from fat.
Fruit or vegetable juice (100%)	Bans added sugars, sweeteners, and artificial sweeteners	Bans added sodium
Water, fruit, or vegetable juice combinations	Bans added sugars, sweeteners, and artificial sweeteners	Bans added sodium; must meet the nutrition requirements of the Healthy, Hunger Free Kids Act of

		2010 (P.L. 111-296); keeps the artificial sweeteners, sweeteners, and sugar ban.
Water only	Bans sugars, sweeteners, artificial sweeteners, and caffeine	Bans added sodium; keeps the sugar, sweetener, artificial sweetener, and caffeine bans.

The bill also limits the portion size for drinks other than water to no more than eight ounces for K-5 grade students. Current law permits up to 12 ounces a serving for K-5 students. The bill keeps the sixth grade through high school limit at 12 ounces.

§ 9 — USE OF AGRICULTURAL SCIENCE CENTER EQUIPMENT

Under the bill, any facility, facility renovation, or equipment at a regional vo-ag center that receives a state grant must be used exclusively by the vo-ag center. Vo-ag centers are hosted by local school districts but serve a region of many districts.

§ 10 — MAGNET SCHOOL ENROLLMENT NOTIFICATION

The bill requires the parents or guardian of a student who enrolls in a magnet school for the coming year or of a student on a waiting list for a magnet school to notify the student's home school district of the upcoming enrollment or status on a waiting list. This must be done within two weeks after the enrollment lottery for the magnet school (which are usually held in March or April). Enrollment lotteries are held when a magnet school has more students interested in attending than it has available seats.

By law and unchanged by the bill, a magnet school operator must, by May 15 annually, notify a student's home district that the student is enrolled in the magnet school for the coming school year and what the tuition will be. All magnet schools, except Sheff host magnets, are allowed to charge the tuition to a student's home (i.e., sending) district.

§ 11 — DUE DATE FOR RACIAL MINORITY ENROLLMENT REQUIREMENT REPORT

The bill extends, from January 1, 2013 to January 1, 2015, the deadline for SDE to submit a report to the Education Committee recommending legislation to amend the racial minority enrollment

requirements for magnet schools to conform with changes in federal law. The recommendations must reflect the regional demographics of the magnet school programs and the diverse populations attending the magnet schools.

BACKGROUND

Special Master Law

A 2011 law requires the SBE to assign a special master to administer the Windham school district's educational operations to help it achieve adequate yearly progress (AYP) as a district in reading and mathematics as required by the federal No Child Left Behind (NCLB) Act (PA 11-61). The special master has left Windham and is now assigned to New London. (The state is now operating under a federal waiver from NCLB and state measures of school and district success have changed.)

The special master must:

1. manage and allocate the district's federal, state, and local funds; and
2. report regularly to the SBE on the (a) district's progress in implementing its improvement plan and (b) effectiveness of the local school board and superintendent.

By law, the SBE delegates to the special master its authority to take various actions to improve student performance in low-achieving schools and districts, including:

1. requiring an operations audit to identify possible program savings and an instructional audit to identify problems with the district's curriculum and instruction or learning environment;
2. directing the assignment and transfer of teachers and principals;
3. requiring additional training and technical assistance for the district's teachers, principals, and central office staff, and for parents and guardians of the district's students; and

4. directing the school board to develop and implement a plan to address deficits in achievement identified in the instructional audit.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 32 Nay 0 (03/21/2014)